



## State of New Jersey

Department of Environmental Protection

James E. McGreevey  
Governor

Bradley M. Campbell  
Commissioner

# NOTICE

## REGARDING WILDLIFE IMPACTED BY OIL OR UNIDENTIFIED SPILLS IN NEW JERSEY

October 12, 2004

RE: Unidentified Spills, Oil and Chemical Spills and Impacted Wildlife in New Jersey

Dear Wildlife Rehabilitator:

During February, the oil spill on the New Jersey shoreline provided us with the opportunity to identify potential systematic response issues with respect to oiled wildlife. During this spill various individuals, all with the best of intentions, began removing and assisting affected wildlife. Several concerns have surfaced from these actions, including the need for better communication between the Department of Environmental Protection's (DEP) Bureau of Emergency Response, Division of Fish and Wildlife, wildlife rehabilitators and the public. The purpose of this letter is to inform organizations and/or individuals of the protocols and procedures developed pertaining to such emergencies. These procedures were developed to ensure the safety and health of all those involved and to prevent any further damages or concerns.

Spills may involve numerous federal, state and local response agencies including: the United States Coast Guard, National Oceanic and Atmospheric Administration (NOAA), Federal Bureau of Investigation (FBI), Emergency Response teams, United States Environmental Protection Agency (EPA), United States Fish and Wildlife Service (USFWS), and New Jersey Department of Environmental Protection (NJDEP). The first actions include verifying the report, evaluating the possibility of a national security threat, identifying the substance and gauging the extent of the spill. Once this is underway, spill containment procedures, clean up, responsible party investigations, and assessments of injuries to natural resources may commence.

There are many protocols and standard operation procedures (SOP's) to consider in a spill response. These may include the following: emergency response measures to address exposure to hazardous materials; potential Natural Resource Damages (NRD) litigation action; protocols for oil sample storage and for finger print analysis of the oil/chemical; chain of custody for oil samples that could be used as evidence in potential litigation/enforcement actions; protocols for collecting information; documentation and reimbursement for expenses for proper treatment of contaminated dead and/or injured wildlife. Needless to say, all of these issues require professional staff, equipment, procedures, and documentation.

For those who may be interested in assisting during such emergencies, please consider the following requirements and/or recommendations designed to address potential health and legal concerns:

- Mandatory Occupational Safety and Health Administration (OSHA) training for staff and volunteers (renewed annually)
- Liability insurance for staff and volunteers (hazardous materials and/or carcinogens)
- Staff and volunteer written agreement acknowledging such exposure for each spill.
- Certified Personal Protection Equipment (PPE) for each individual to prevent personal injury from dermal, inhalation, and ingestion exposure to hazardous or potentially hazardous materials.
- PPE daily decontamination procedures.
- Used wash water procedures (including water retention equipment and treatment of used water)
- Evidence handling procedures (such as potential case number assignment, evidence number, evidence gathering requirement, evidence testing, chain of custody, etc).
- Mandatory federal and/or state wildlife rehabilitation permits.

Currently, Tri-State Bird Rescue and Research (TSBRR) from Newark, Delaware is the only facility trained, licensed and in possession of the necessary equipment to process wildlife affected by a spill in NJ (or in the region of impacting NJ). When appropriate, TSBRR either sets up a temporary facility on or near the responsible party's facility or, if there is a limited number of injured wildlife, TSBRR will stabilize the wildlife prior to transport to the Delaware facility for temporary treatment. When the wildlife has recovered, TSBRR transports the wildlife back to New Jersey for appropriate location release. The NJ DEP Division of Fish and Wildlife (DFW) Rehabilitation program is currently working with NJ Association of Wildlife Rehabilitators (NJAWR) to conduct a retrieval and triage spill training seminar to be taught by TSBRR and made available to those rehabilitators that are inclined to be subject to such incidents.

New Jersey does not permit unauthorized volunteers to participate in retrieval response and/or rehabilitation of such affected wildlife. However, TSBRR may utilize pre-certified and trained volunteers operating under their direct supervision. These volunteers have undergone extensive training and have been provided appropriate safety training as well as equipped with the required PPE. Those interested in attending volunteer training prior to a spill event may make inquiries directly to TSBRR ([oilprograms@tristatebird.org](mailto:oilprograms@tristatebird.org)).

When a spill occurs and wildlife becomes injured, many citizens feel compelled to act. Handling impacted wildlife not only requires knowledge and coordination with the above-mentioned protocols, but also if not done properly, it can be dangerous for both the animal involved as well as the handler. If a spill is suspected, by means of personal observation or receiving affected wildlife, please **call 877-WARNDEP**. Do not begin taking possession of, transporting, and/or treating dead, injured, or affected wildlife, unless you receive approval and a transfer location site. Only those individuals trained for dealing with hazardous materials, equipped with water retention equipment and PPE, and currently licensed and approved for rehabilitating the wildlife affected by a spill, should be taking possession of and/or rehabilitating these birds or animals.

We thank you for your interests and concerns. Please remember safety is our primary concern. Feel free to forward this information to staff members as appropriate.

If you have any questions, please contact Amy Wells at (609) 292-2966.

Sincerely,

John S. Watson, Jr.  
Assistant Commissioner